



CIVIL LAW TIDBITS

One Page
One Topic

A Monthly Info Sheet

374 AW/JAC

FEBRUARY 1997

Civil Law

What do we do?

JOB #1: Administrative Discharges

Other Responsibilities:

Barments/Warning Letters

Suspension/Revocation of AAFES or
Commissary Privileges

Front Desk Duties - Powers of
Attorney and Notaries

Legal Assistance

Preventive Law

Labor Law

Legal Reviews of:

FOIA/Privacy Act requests

EOT Complaints

Demotions

Security Incidents/Violations

Commercial Sponsorships

Suspensions/Revocations of

Driving Privileges

Line of Duty Determinations

Private Organization Activities

"Cats & Dogs" (Is it legal?)

CIVIL LAW STAFF

Duty Phone: 225-8423/8118

Lt Col William F. Phillips SJA

Capt Natonne Kemp	OIC
Capt Michelle Yeske	Assistant OIC
SSgt Carmalla Coley	NCOIC
SrA Heidi Goodbar	Paralegal
AIC Laura Greenleaf	Paralegal

LEGAL ASSISTANCE INFORMATION

POWERS OF ATTORNEY

1. What are the two different types of Powers of Attorney (POA)?

There are two types of powers of attorney (POA): the Special power of attorney (SPOA) and the General power of attorney (GPOA).

The SPOA grants the designee the power to perform only the specific acts listed on the POA. For example: You gave your designee a SPOA to withdraw \$100.00 from your savings account. That is the only act your designee can perform with that POA. He/She may not write checks, close your account, or withdraw any amount over than what you specified on the POA. A SPOA is for specific acts only. The time limit on a SPOA can be for up to two years.

A GPOA grants the designee broad powers to act in your behalf. With a GPOA you are giving your designee the power to do anything for you. For example: With a GPOA your designee can sign for loans, credit cards, leases and banking transactions etc. If the agency will accept the GPOA, the designee can use it. For this reason you need to be very cautious when giving a GPOA. Make sure it is someone you know and trust such as your spouse or parents. The time limit for a GPOA should be minimal and no longer than one year.

2. Who is required to accept a POA?

You need to remember that no one is required to accept a POA, and thus an agency or company can insist on a person's own signature. Most base agencies accept GPOA's for all transactions. However, the following agencies limit what you can do with a GPOA or require a SPOA:

The Accounting and Finance office, in very limited situations, will accept a SPOA prepared by the legal office. You can only give your designee the power to change your local mailing address, and inquire about net pay. An Air Force member must personally sign any document that will change military pay, such as COLA, OHA, BAQ, allotments, and telephone hookup. No POA's will be accepted for any action that changes pay amounts.

The Bank and Credit Union accept GPOA's for most transactions. Remember, your designee is limited to doing only what you could do. The bank will not accept a POA to take out a loan in your name. Nor can your designee change your individual account to a joint account. Also, federal law requires the actual owner's signature to cash Savings Bonds.

Con't on Reverse

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Con't from Front

The Hospital requires either an “in loco parentis” SPOA or medical care SPOA to allow someone else to authorize medical care for your minor dependents. You should place a copy of the SPOA in your dependents’ medical records to ensure treatment if you are unavailable.

The Security Police will allow someone with access to a vehicle and the car’s paper work to renew insurance or road tax. However, in order to register, sell a car or buy a new one while you are unavailable, you will need to give your designee a SPOA. You need the following information for inclusion on the SPOA: year, make, model, color, style and Vehicle Identification Number (VIN) of the vehicle. Without this information your SPOA will not be accepted by the Security Police.

The IRS will not accept a GPOA for tax purposes. The Base Legal office can prepare a SPOA which allows your designee to file a return on your behalf, to include collection of any refund.

CERTIFIED COPIES

1. What is a Certified Copy?

A Certified Copy is an official, notarized copy of the original document.

2. What do I need to provide in order to receive a Certified Copy of an original?

You need to present your Military Identification (ID) card to the Base

Legal office along with all copies and original documents. Once the Legal office verifies that you have made true copies of the originals, we will authenticate and seal the copies of the documents.

Note: We cannot certify any document that we cannot read. All copies must be in English.

3. Have all copies of the documents prior to your visit. The Base Legal office will not make copies for you.

4. The most common item that requires certified copies is an application for request of a Social Security Number for a child. The following documents are required to be certified at the Base Legal office: child’s passport, child’s birth certificate, your ID card and/or passport. You can pick up the Social Security Number application at the Military Personnel Flight.

NOTARIES

1. What is a Notary?

When a document is notarized, the notary is acknowledging the signing of the document, not its contents. The notary is stating the person signed the document in his or her presence.

2. What do you need to get a document Notarized?

You need to have your ID card. **Remember, DO NOT sign the document prior to your visit.** The document must be signed in front of the Notary Public.

Note: We cannot notarize any document that we cannot read. All documents must be in English.

3. What are some of the examples of documents that require authentication and notarization?

- promissory note
- bill of sale
- affidavit of support
- certificate of signature
- letter of guarantee
- wills
- powers of attorney
- translation of documents (NOTE: The person providing the translation of the document needs to have the document notarized.)
- mortgage documents

HOURS OF OPERATION

Powers of Attorney,
Certified Copies & Notaries:
Monday thru Friday 0730 - 1630

